

### REMARKS

The claims were rejected under 35 U.S.C. §103(a) as being unpatentable over Thieme and D'Angelo. Applicant respectfully disagrees.

### 35 U.S.C. §103

D'Angelo and Thieme alone, and in combination, do not teach or disclose a saliva collection device and/or method that includes a salivation catalyst positioned directly on the exterior surface of a collection device. Therefore, the rejection of the claims under 35 U.S.C. §103 should be withdrawn and the claims allowed.

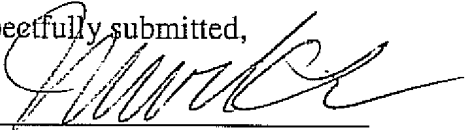
D'Angelo described the use of an absorptive saliva collector 1 that is removably positioned on a receiving shaft of an aspirating pipette 2. D'Angelo's use, however, of the saliva collector 1 is an unnecessary extra element that has the disadvantage of creating two separate potential biohazards (i.e., the pipette 2 and the collector 1). Further, once a saliva sample is collected, a user must go to the extra step of having to extract the saliva from the collector 1. The collection device/method described in the instant application overcomes both of these problems while also providing a simple means for promoting salivation.

Specifically, by drawing a saliva sample directly into a collection device, the number of potential biohazards is cut in half versus the prior art. Further, the collected saliva is stored *in solution*. As such, there is no need to extract any saliva from a separate collector. Finally, by placing a salivation catalyst directly on the surface of a collection device, the collection device may promote the generation of saliva without the need for a separate saliva collector 1. Accordingly, the collection device and method of the present application offer clear, nonobvious, improvements over the prior art.

Therefore, in view of the above remarks, Applicant submits that the application is now in proper form for allowance. Such action is respectfully requested.

Dated: October 12, 2006

Respectfully submitted,

By 

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